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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

BOARD OF TRUSTEES OF THE  
LABORERS HEALTH AND WELFARE  
TRUST FUND FOR NORTHERN  
CALIFORNIA; BOARD OF TRUSTEES OF  
THE LABORERS VACATION-HOLIDAY  
TRUST FUND FOR NORTHERN  
CALIFORNIA; BOARD OF TRUSTEES OF  
THE LABORERS PENSION TRUST FUND  
FOR NORTHERN CALIFORNIA; and  
BOARD OF TRUSTEES OF THE  
LABORERS TRAINING AND RETRAINING  
TRUST FUND FOR NORTHERN  
CALIFORNIA,

Plaintiff,

vs.

INDUSTRIAL COMMERCIAL CONCRETE  
CONSTRUCTION, INC., a California  
corporation; and JEFFREY J. HUSTON, an  
individual,

Defendants.

Case No.: C 14-02061 JSC

BOARD OF TRUSTEES OF THE CEMENT  
MASONS HEALTH AND WELFARE TRUST  
FUND FOR NORTHERN CALIFORNIA;  
BOARD OF TRUSTEES OF THE CEMENT  
MASONS VACATION-HOLIDAY TRUST  
FUND FOR NORTHERN CALIFORNIA;  
BOARD OF TRUSTEES OF THE CEMENT  
MASONS PENSION TRUST FUND FOR  
NORTHERN CALIFORNIA; AND BOARD  
OF TRUSTEES OF THE CEMENT MASONS

Case No.: C 14-02064 JSC

**CASE MANAGEMENT CONFERENCE  
STATEMENT; ORDER THEREON**

**Date:** September 11, 2014  
**Time:** 1:30 p.m.  
**Ctroom:** F, 15<sup>th</sup> Floor  
Hon. Jacqueline Scott Corley

1 TRAINING TRUST FUND FOR NORTHERN  
2 CALIFORNIA,

3 Plaintiffs,

4 vs.

5 INDUSTRIAL COMMERCIAL CONCRETE  
6 CONSTRUCTION, INC., a California  
corporation; and JEFFREY J. HUSTON, an  
individual,

7 Defendants.

8  
9 Plaintiffs Cement Masons Trust Funds provide this updated case management statement.

10 On May 6, 2014, Plaintiffs Cement Masons Trust Funds filed their Complaint for  
11 Damages for Breach of Collective Bargaining Agreement, To Recover Unpaid Trust Fund  
12 Contributions, For Breach of Fiduciary Duty and for a Mandatory Injunction (“Complaint”) in  
13 Case No.: C 14-02064 DMR. Plaintiffs seek to recover fringe benefit contributions due and  
14 owing on behalf of Industrial Commercial Concrete Construction, Inc.’s covered employees.

15 On May 6, 2014, Plaintiffs Laborers Trust Funds filed their Complaint for Damages for  
16 Breach of Collective Bargaining Agreement, To Recover Unpaid Trust Fund Contributions, For  
17 Breach of Fiduciary Duty and for a Mandatory Injunction (“Complaint”) before this Court.  
18 Plaintiffs seek to recover fringe benefit contributions due and owing on behalf of Industrial  
19 Commercial Concrete Construction, Inc.’s covered employees.

20 The Laborers Trust Funds and Cement Masons Trust Funds are located in the same  
21 building and share the same auditor and management of their respective collections  
22 departments. The two Trust Funds are jointly administered.

23 On July 31, 2014, an Administrative Motion to Relate Cases was filed. On August 21,  
24 2014 the Administrative Motion to Relate Cases was granted and these two cases were assigned  
25 to this Court.

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1 Since filing both Complaints, Plaintiffs made several attempts to locate and serve  
2 defendants. Plaintiffs have not been able to locate and serve defendants. Plaintiffs are  
3 following up on all leads. If Plaintiffs are unable to locate and serve defendants within the next  
4 30 days, Plaintiffs will move to serve defendants via publication.

5 Based on the above, Plaintiffs Cement Masons Trust Funds respectfully request that this  
6 Court continue the September 11, 2014 case management conference for thirty (30) days.

7 DATED: September 4, 2014

8 BULLIVANT HOUSER BAILEY PC

9  
10 By /s/ Ronald L. Richman  
11 Ronald L. Richman

12 Attorneys for Plaintiffs  
13  
14

15 **ORDER**

16 Based on the Plaintiffs' request to continue the case management conference and good  
17 cause appearing,

18 IT IS HEREBY ORDERED that the September 11, 2014 case management conference  
19 be continued to October 16, 2014 at 1:30 p.m., Courtroom F, 15<sup>th</sup> Floor. Plaintiffs  
20 shall file an updated case management conference statement no later than seven (7) days prior to  
21 the continued case management conference.

22 DATED: Sept. 8, 2014  
23

24 By: Jacqueline S. Corley  
25 HON. JACQUELINE SCOTT CORLEY  
26 UNITED STATES MAGISTRATE JUDGE  
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